

Fee for Service Rate Methodology Workgroup

MEETING NOTES

Date: August 22, 2006 (Tuesday)

Time: 11:30 a.m. – 12:00 p.m.

Where: Capitol Common - Conference Room E
400 S. Pine
Lansing, MI 48933

Attendees: Scott Barlow, Michael DeVault, John Dickey, Bruce Elkins, Jan Frederick, Chris Gottleber, Claire Higgins, Toni Hornberger, Ed Kemp, Tom Koepke, Terry Latimer, Maryann Lorkowski, Deb Marshall, Kathy Merry, Pam O'Farrell, Liz Patrick, Susan Powell, Jane Reagan, Jeff Siegel, Michelle Simmons, Linda Sowle, Dave Stirdivant, Toni Sturgis

Handouts: PCG Legal Brief on Parental Consent

Highlighted areas are tasks to be completed prior to next meeting.

RMTS FFS Time Study

- Time studies for the rate setting will be done on January – March quarter
- Three time studies will be done for rate setting
 - 800 moments using enhanced AOP staff pool list
 - 800 moments for personal care services
 - 800 moments for targeted case management
- Web-Ex training on staff pool list development for case managers and personal care staff October 9 - October 18, 2006
- Staff pool lists due to PCG by November 17, 2006
- No final decision was made regarding the Personal Care Random Moment Time Study.
- PCG needs a decision whether ISD will have the option of not billing for Personal Care services? Does this also mean that the related staff would be pulled from the staff pool list? The group wishes to have this issue carried forward to the September 18, 2006 meeting.
- The workgroup would like a copy of the Draft Personal Care Bulletin, the PCG training packet and an example of the documentation checklist sent out to them.
- The workgroup would like a better definition of one-on-one aides.

State Plan Amendment Update

- Email received from CMS regarding cost settled methodology
 - Dennis Smith has made the decision that, "SBS bills must still be processed through the MMIS system, even when certifying to expenditures in the aggregate". Julie and most of the Regional Office accountants nationwide feel this is so as not to lose the audit trail.
 - The workgroup would like clarification from CMS, 1) are we still able to do a cost settled payment methodology, 2) is CMS aware that there is no connection between the bills processed thru MMIS and the payments. The only audit trail that the MMIS claims will provide is to show that eligibility is present on the date of service, and the service was rendered.

Fee for Service Rate Methodology Work Group Meeting Notes

June 20, 2006

Page 2 of 2

IDEA Update

- The new IDEA regulations (section 300.154) state that the public agency, *"must obtain parental consent, consistent with section 300.9, each time that access to public benefits or insurance is sought"*.
- It has been an ongoing debate whether the Medicaid application suffices as parental consent for the purpose of FERPA or whether another separate consent needs to be obtained.
 - Currently Michigan, Wisconsin and Illinois (that we know of) use the Medicaid application as evidence of parental consent.
- The Michigan Department of Community Health (MDCH), Office of Legal Affairs has reviewed the FERPA and HIPPA regulations and given an informal opinion that MDCH is in compliance with HIPPA and that release of the directory information from the educational record is a FERPA issue and resolution the responsibility of MDE and the schools.
 - The parental consent issue has been raised on both the North Central Regional Resource Conference (NCRRC) call as well as on the National Alliance for Medicaid in Education (NAME) conference calls with no resolution.
- The parental consent issue will be raised at the OSEP Leadership conference to be held August 28th through 30th, 2006. We will notify the workgroup of any outcomes of the meeting.

Provider Equivalency Update

- Michigan Attorney General's office advised MDCH that they would not be providing a certification of equivalency.
- They do not feel it is a legal question but rather a factual one.
- MDCH will clarify with CMS exactly what our next steps are.
- Staff and services that are in jeopardy:
 - Teacher Consultants providing Developmental Testing
 - Teachers of Students with Speech and Language Impairments (TSLIs) grandfathered in prior to August, 1980
 - TSLI's or Speech Pathologists without their American Speech and Hearing Association (ASHA) certificate of clinical competence.
 - Orientation and Mobility specialists

Next Meetings:

- September 18, 2006 1:00-3:00
- October 24, 2006 1:00-3:00
- November 28, 2006 1:00-3:00